

SAMPLE LETTER

FORMAL NOTIFICATION TO OPERATORS TO IMPLEMENT ENHANCED LEAK DETECTION TESTING

This is a formal notification that your underground storage tank (UST) system is subject to Enhanced Leak Detection (ELD) testing, based on information in the State Water Resources Control Board's (SWRCB's) Geographical Information System (GIS) mapping database ("Geotracker"). Our information indicates that your UST system is located within 1000 feet of a public drinking water well. Part A of this letter discusses facility and well data related to Geotracker. Part B explains the ELD requirements for UST systems with a single-walled component. Part C explains the ELD requirements for UST systems with secondary containment. Part D explains the process for requesting reconsideration of this notification.

PART A. UST FACILITY AND WELL DATA RELATED TO GEOTRACKER

Local permitting agencies submitted UST facility data to the SWRCB for entry into Geotracker. UST facility information is available on <http://geotracker.swrcb.ca.gov>, the Geotracker web site. Enclosure 1 is a street map showing the location of your facility, according to Geotracker.

The Department of Health Services and local water districts provided information on locations of public drinking water wells and their locations into Geotracker. Due to recent security concerns, well location information is not available to the public. Enclosure 2 provides the Facility ID and PIN numbers for the UST system, the name of the water purveyor (owner of the water system), and the name and telephone number for their contact person.

We have attempted to improve the accuracy of the information in the Geotracker database. However, the database may still require updating to make it current and complete. As described in Part D below, if you believe Geotracker's information regarding your UST system is inaccurate, or the water purveyor can confirm that nearby public drinking water well data are inaccurate, you may request reconsideration. **To verify well information, you will need to contact the water purveyor.**

PART B. UST SYSTEMS WITH A SINGLE-WALLED COMPONENT

For UST systems with a single-walled component, ELD testing is required once every three years (Health & Saf. Code, § 25292.4 and Cal. Code of Regs., tit. 23, §§ 2640 and 2644.1). Also, please refer to Enclosure 3, Local Guidance Letter 161-1. Triennial ELD testing is required for UST systems with one or more of the following single-walled components:

- single-walled tank,
- single-walled pressurized piping,
- single-walled conventional suction piping.
- dispensers without under-dispenser containment, and
- turbines without secondary containment.

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Vent or tank riser piping, vapor recovery piping, and "safe" or "European" suction piping are not considered single-walled components if they meet the applicable criteria in the regulations [Cal. Code of Regs., tit. 23, § 2636, subd. (a)].

Based on our information, the owner or operator is required to submit and have a program of ELD testing approved by the local permitting agency within six months from the date of this formal notification. An approved program of ELD testing must be implemented no later than 18 months following this formal notification. Your UST system with single-walled components will be subject to this requirement every three years thereafter, or until you replace all single-walled components with double-walled components.

To avoid triennial ELD testing, you may upgrade your UST system so that it does not have a single-walled component. For example, if your UST system has double-walled tanks and under-dispenser containment but has single-walled piping, you can avoid ELD testing by installing double-walled piping. If you decide to replace single-walled components with double-walled components in order to avoid triennial ELD testing, you should notify both the SWRCB and your local permitting agency and follow all required permitting procedures. You must also submit an ELD testing program and complete the replacement work at your facility by the date that ELD testing is required for your UST system. If your UST system is located with 1000 feet of a public drinking water well, it will still require one-time ELD testing by January 1, 2005 after it is upgraded to secondary containment.

Low-interest loans and grants are available to help qualified owners and operators of small independent UST facilities remove and replace UST components. See Enclosure 4 (in blue) for details.

PART C. UST SYSTEMS WITH SECONDARY CONTAINMENT

For UST systems with secondary containment, ELD testing is required once by Section 25292.5 of the Health and Safety Code (AB 2481, Ch. 999, Stats of 2002). Also, please see Enclosure 3, Local Guidance Letter 161-1. The following components meet the criteria for secondary containment:

- double-walled tanks,
- double-walled piping,
- containment sumps, and
- under-dispenser containment.

Based on our information, the owner or operator is required to submit and have a program of ELD testing approved by the local permitting agency within six months from the date of this formal notification. An approved program of ELD testing must be implemented on or before January 1, 2005.

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PART D. REQUEST FOR RECONSIDERATION OF THIS NOTIFICATION

If you believe that your UST system is not subject to the ELD testing requirement, you may request reconsideration from the SWRCB's Underground Storage Tank Program Manager. Information on this request for reconsideration process is included in Enclosure 5 (Request for Reconsideration Form, in blue), as well as in Enclosure 3.

The request for reconsideration must be in writing, submitted to both the local permitting agency and the UST Program Manager, and be received no later than 60 days after the date of this letter. The request must be adequate to demonstrate at least one of the following:

- the UST is no longer in operation,
- you no longer own or operate the UST facility,
- the well is more than 1000 feet from the closest component of the UST system, or
- the well is not a public drinking water well covered by the ELD testing requirement.

Regulations require the UST Program Manager to make a decision on the request and notify the person who requested reconsideration and the applicable local agency of the decision within 90 calendar days of receipt of a complete package.

If you have questions about this notification or wish to request a copy of the regulations regarding ELD, please contact the SWRCB's UST Program by phone at (916) 341-5866 or by e-mail eld@swrcb.ca.gov and leave a message so that a staff person can follow up. A similar notice is being sent to the owner of each UST facility, if this is a different person than the operator.

Sincerely,

[ORIGINAL SIGNED BY]

Elizabeth Haven, Manager
Underground Storage Tank Program

Enclosures (5)

1. Map from Geotracker showing UST facility
2. UST facility name, ID and PIN numbers, and water purveyor contact information
3. Local Guidance Letter 161-2
4. Replacement of Underground Storage Tank (RUST) program flyer
5. Request for Reconsideration Form / Instructions